HORD & LEMMON, TORNEYS AT LAW, FREMONT, OHIO J. M. Lemmon will be at the Fremont Office hundry of each work.

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DENTIST, will be in his office, at Clyde, the one required in his profession. Satisfaction goed in all cases. Rooms at the old stand. HOTELS.

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176, 172, 174 & 176 Greenwich St.,

WEDER WESTER Oct. 10, 1868.

signed takes pleasure in an The madessigned takes pleasure in announced to his numerous friends and patrous that frot this date, the charge of the Pacific will be \$2.50 pe day. Beaug sale proprietor of this bouse, and there free from the too common exaction of an it ordinate rent, he is fully able to meet the downward tendency of prices without any falling of service. It will now, as heretofore, be his aim to institution undiminished the favorable reputation the Pacific, which it has enjoyed for many year as one of the best of insventer hotels.

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And all other Goods in the same proportion, I want all to understand that I will not be undersold by other dealers. Custon Work and Repairing done promptly to order. Buckland's Old Block, Front Street, Fremust. O. A. HOOT.

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VALLETTE'S BLOCK,

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As one of our firm spends nearly half of his time in the Restere cities, we are enabled to recure all the late and fashionable styles of goods as they appear in the market. Call

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THE LARGEST, MOST COMPLETE, BEST SELECTED, LASTEST

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Gents' Furnishing Goods

Spring trade with a very desirable assortment of

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MERCHANT

and examine our stock.

FOR THE SPRING TARDE

THE UNDERSIGNED have opened a shop, Front treet, Frement, Ohio. WAGOS. CARRAGES,

BUGGIES, &C. fron Work, Herse Shoeing, &c and will warrant mittelection in each bra licited Prices low. All work war

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All Orders Promptly Filled.

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ACTORY

Pine Shingles

And I am daily making from the best quality of

The best Shingles in the Market, which I now of fer at the following prices:

XXX Shaved Wood 18 in. 86.50 per M. 18 In. \$5.00 XX Extra Sawed Wood 181n, 85.50 per M " 181n. 85.00 XX II II 4 16 in. \$5 00 " 16in 84.00 XX " " 14 ln. 83.56

15 in. 83.00 16 in. 83.50 16 in. \$3.50 Binck Oak

I. E. AMSDEN. Fremont, Jan. 12, 1869. 3-m3. October 26th 1868.

ROLLERSVILLE MILLS

HAVE SECURED THE SERVICES OF Mr. WILLIAM ROWE.

long and favorably known as the Miller of Mr. James Moore

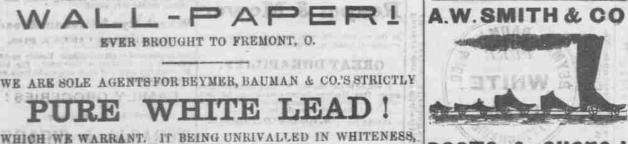
Warrant Entire Satisfaction to all who favor us with a call. Grinding do all the week days except on Monday's. Fo the present we grind Buckwest only on We

Wheat & Buckwheat Flour DELIVERED TO ANY ADDRESS

IN FREMONT AT Current Market Prices.

Sawed Black Ash and Poplar (white wood) SHINGLES & LATH! Prices at the Mill:

J. C. KING. Rollersville, Sandusky Co., O.



ers, Wholessle & Rotail Dealers in

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FREMONT

on Front t. below Gas Works

T AM NOW PREPARED TO FURNISH AT Wholesale or Retail

ALL GRADES OF

CANADA PINE

Call at my Shingle Factory before purchasing

The Mill is in complete repair and we will

FIRST QUALITY OF

Morgan Raid Claims Bill Invalid. No further legislation was had on the legis'ation.

the year 1869, and the first quarter of enue, dec." the members elected to either house. The opinion of the attorney general is then Nor

to the payment of the claims referred to in the first of said acts.) are constituted in auch bills, that "there is hereusual in such bills, that "there is

1869, are unconstitututional, are they

act without the aid of judicial interpretation, and therefore the most careful and deliberate consideration of the subject by the attorney general is invoked."

In reply I have to say that the consideration asked has been bestowed with what care and research the attorney general has been able to bring to the invoked as constituting an appropriation bill of May 5, the opinion of the court, said:

No bill can become a law without receiving the number of votes required by the constitution requires the constitution requires the constitution for its passage. In the opinion of the courts.

For the passage of the acts in question, the constitution requires the constitution of the members of two-thirds of the members of two-thirds of the members of two-thirds of the legislative journals shows that they did not receive this number of the courts.

Sock Beer.

Book Bee

and payment, but whether it has done bject been considered. Section 29, article 2, of the constituion in aubtance ordains as follows:

by two-thirds of the members elected The constitution is paramount to all

of a specific appropriation made by law;" (Constitution, Art. IL, Sec 22,) (Per Thurman, justice in Miller & Gileson's case, 30, R. R., 475.) Can a bill o authorize the payment of claims of the character described in the constitution become a law without receiving the votes of two-thirds of the members elected to each house? Is it the duty of the financial officers of the State to execute what in the statute book pursuch claims, which, in point of fact, id not-and the legislative journals ceive the number of votes required by through its infraction; and the throwride to be meritorious, however destitute of that quality they may be in fact. I prefer to sacrifice my own personal mands, whatever may be the measian secure them by an infraction of

onal interpretation and official duty. The history of the Morgan raid claims and of the legislation affecting them is, briefly: The expedition of John Morgan invaded the State in 1863. Therefore the subject mate terror and terror of a claim is auterior in point of sumed to have received the number of the subject in the subject i It was broken up and repelled by the existence, to the origin of the claim it votes required for their passage, unless every State. operation of government troops, actg under national authority, and local nilitia acting under State authority.

General Assembly of the State of Ohio, on the 13th of April, 1869, entitled by citizens of the State of Ohio to the of fact, authorized or provided for by "An act to provide for the payment of amount of \$580,837; therefore, claims for damages growing out of the Sec. 1. Be it enacted by the Genorical Lawill hardly be contended

the year 1870, which relates to the sub- It is apparent that this act in its by any law enacted prior to their comject of your paying the claims for damages growing out of the military expedition aforesaid." You state that the
subject matter of these claims was not
provided for by any law of the State

It is apparent that this act in its by any law enacted prior to their comhave crept into the state books.

That the journals may be thus inglederacy. Nor were the acts, seizures
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by any law of the State
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by any law enacted prior to their comhave crept into the statute books.

That the journals may be thus inprovided for by any law of the State
by any law enacted prior to their comhave crept into the statute books.

That the journals may be thus inpreamble proceeds upon the incorrect
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by any law enacted prior to their comhave crept into the statute books.

That the journals may be thus inpreamble proceeds upon the incorrect
and destruction of the national troopa
by any law enacted prior to their comhave crept into the State books.

That the journals may be thus inpreamble proceeds upon the incorrect
and destruction of the national troopa
by any law of the State books.

The preamble proceeds upon the provided for by any law of the State prior to April 30, 1869, and that the journals of the Senate and House of lature had in express terms declared in the lature had Representatives show that neither the said act of 1864, that its intention was unless allowed by two-thirds of the ly discloses the views entertained by said act of 1864, that its intention was unless allowed by two-thirds of the ly discloses the views entertained by you from everlasting with a love desparance of the the court. In their opinion they say: May 5, 1869, above referred to, received leave the question of the liability of the general assembly; and hence, until the off it were found by an inspection of the liability of the

tutional and valid laws, or unconstitu- by appropriated," but only that "there visions of the constitution, which affect the executive officers may also do, subby appropriated," but only that "there visions of the constitution, which affect the executive officers may also do, submay be appropriated," thus purporting legistion, have respect to aubstantive reject, however, to be controlled by the
do not so wickedly, but when God spe-Second-If said act of April 30th to grant authority by one act to make sults, and must be strictly observe, courts in case they err. They adminand the part of said act of May 5th, an appropriation by some future act. while the directory provisions have re lister the public finances at their peril. This act, then, does not allow these spect to the mode or preliminary steps. No money can be drawn from the so plainly so as to require an executive claims, for nowhere in it is there an allow which these results are attained, and officer to refuse to execute their provi- lowance declared; nor is it an act of beed not be literally observed. Its re-

act without the aid of judicial interpre- has substantially incorporated it into in which Thurman, justice, announced

whether the claims under consideration concurred in by a less number, the first each House. The subject matter of the littles.

are meritorious—not whether the legbeing treated as the 'pre-existing law' Morgan Raid claims was not provided To this conclusion the claims for damislature ought to order their allowance required by that clause.

sim, the subject matter of which shall other than an act of appropriation con-

votes required by the constitution." validity of the acts under consideration finances. The provision above quoted,

allowing the claim passed at any time drawn from the treasury except in puranterior to the act making appropriation suance of a specific appropriation made for its payment by law is clearly addressed to the fluan-Under this interpretation the concur- cial officers of the state. No money can the Morgan expedition rest upon a difrence of two-thirds might in every case be paid out by them unless authorized ferent basis. As to them the duty of be dispensed with, and the constitute by some valid law. But the twentytional clause requiring it rendered nu- ninth section of article two in substance is scarcely possible. gatory; for the same majority that might and effect declares that no valid law, concur in the antecedent allowance making a specific appropriation for the could make the subsequent appropriation for the payment of claims of the class under the attorney general might enjoin the payment of these claims and thus raise ball so sthrong ash vot puck pear is, don'ye tion and both within the same hour.— consideration, can be passed unless twoshow that it did not—on its passage re- The authors of the constitution could thirds of the members elected to each tutes under the constitution. not have intended this. They must House shall concur in their allowance. But the attorney fleneral has no part This is believed to be a full and fair which they intended should not be paid concurred. Hence, no law making a He could only act in the premises As the question is practically presented for the first time, under the constitution, allowance shall have been concurred in any exist in pursuit is of the gravest importance that it be correctly decided at the threshold, be correctly decided at the threshold, although apparent injustice to meritorious demands may seem to result. The ous demands may seem to result. The renders it an unmeaning nullity. If the fore, not only justified in refusing, but it is of the attorney general to enjoin decision must, in same measure—it constitution provided that no money by the express terms of the constitution payment. may be in a controlling degree—con-shall be paid on any claims which shall are required to refuse payment of these. The opinion herein is, of course, no stitute a precedent for the future.—
Hence, by all who hold sacred the inisting law, unless allowed by two-thirds,' cute whatever in the statute book puristing law, unless allowed by two-thirds,' cute whatever in the statute book puristing law, unless allowed by two-thirds,' cute whatever in the statute book puristing law, unless allowed by two-thirds,' cute whatever in the statute book purviolability of the constitution, any etc., there might have been a possible ports to be a law, and are prohibited reversed by the proper court. The etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a possible ports to be a law, and are producted etc., there might have been a law and a law and a law and a law and a brough its infraction; and the throw-ng open of the door of precedent to the drission, and payment of all future. It is attained with its drission, and payment of all future. sion and payment of all future and its subject matter must, therefore, Section 3, ordained that "each House claims, which a mere majority shall denot be confounded, but carefully distin-shall keep a journol of its proceedings fully guished. A claim, in the constitutional and publish them." In Loomis's case sense, is any subsisting pecuniary de- (5 O. R. 863), the supreme court said :

mand for reward or remuneration on "This journal, when taken in con- Ohio Post Office Mutual Benefit Assoaccount of something previously done nection with the laws and resolutions tre of justice on which they rest, rather or suffered. Its subject matter is that would seem to be the appropriate evisomething so previously done or suf-dence of the action of the general assem-jest an insurance upon the life of every per the fundamental law," was the remark fered, out of which the claim has arisen, of an eminent statesman as he cast his The latter is the producing cause, the behind the volume of published laws, the more members the greater the pecuniary that large latter is the producing cause, the large latter is the producing cause, the large latter is the producing cause of death. The vote for this sacrifice. This sentiment claim, is its result. In the very nature and inspect the legislative journals, benefit to the assured in ease of death. of things then, the subject matter of a was thus early recognized. claim, the act previously done or suf- But as the constitution of 1802 did

Much damage was done to citizens by the acts of the contending forces, out which arose the claims under consideration.

The Assorbite acts of the contending forces, out which arose the claims under consideration.

The Assorbite acts of the contending forces, out which arose the claims under consideration.

The Assorbite acts of the contending forces, out which arose the claims under consideration.

The Assorbite acts of the contending forces, out which arose the claims under consideration.

The Assorbite acts of the contending forces, out which arose the claims under consideration has changed the present constitution has changed the present constitution has changed the providing for a matter by a pre-existing law, enacted after the matter to be produced as a present constitution has changed the present constitution has changed the present constitution has changed the provides that the evidence of the present constitution has changed the present constitution has changed the present constitution has changed the provides that the evidence of the provides that the evidence of the present constitution has changed the provides that the evidence of th

subject except to transfer said commis- The conclusion is, therefore, irresis- ance be concurred in, not by a majority Subject except to transfer and commusstiple text copy to transfer and commusmany pisty, not spen these
many pisty, not spen these
members elected therefor. It can not
be act of May 5th, 1869, until the assumed legislation of April 30th, 1869,
to place. The provisions of this link
to legislation are carefully framed with
an apparent view to obviate the publication of section twenty-nine of article
two of the constitution above quoted.
The State of Ohio.

Office of the matter, circumstance
of some law enacted
anterior to its origin, authorising or
providing for the matter, circumstance
or event out of which it arcse, unless
two of the constitution above quoted.
The act of April 30th, 1869, is preceded by a presumble, part of which, with
the first clause of the article, read-asfollows:

"Whenkas, The commissioners under the act of March 30th, 1864, and
and an act supplementary thereto, passed
lage the receipt of your letter of the
13th inst., enclosing a copy of an act
purporting to have been passed by the
General Assembly of the State of Ohio,
on the 13th of Anyil 1869, caramise claims grow
on the 13th of Anyil 1869, caramise claims grow
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on the 13th of Anyil 1869, caramise claims grow
on the 13th of Anyil 1869, caramise claims grow
on the 13th of sion to certain of the State officers by tible, that the authors of the constitu- merely, but the two-thirds of all the

New Series, Vol. XVII, No. 23.

arose, were authorized or provided for tion thereof, to remedy the mistakes,

appropriation, for no present appropri- quirements in regard to the ultimate ex-You then add "that these are grave and important questions, and as they are presented for the first time under that clause of the constitution under which they arise, you are compelled to act without the aid of judicial interpretation, and therefore the most careful to the passage and substantially incorporated it into act without the aid of judicial interpretation, and therefore the most careful to the ultimate expression of the legislative will in the end of a law are peremptory, and their literal observance essential to the quire as to their passage. If they can their literal observance essential to the quire as to their passage. If they can their literal observance essential to the passage and validity. This was distinct too, otherwise it would not have, as it has substantially incorporated it into act without the aid of judicial interpretation, and therefore the most careful.

quiry, and the conclusion reached together with the reasoning in support of
5, 1869, seem to have been passed on
it, is bersin respectfully submitted. the assumption that the clause of the shall not have been provided for by live constitutional expressions of legis-The question presented is one of constitution which requires the concursame statute enacted prior to their lative will—never became and are not highly scientific gentlement as Saturday purely constitution which requires the concurpurely constitution which requires the concurpurely constitution which requires the concurame statute enacted prior to their
rence of two-thirds for the allowance
origin, can become a law unless it be
laws; and hence no money can be
laws; and hence no money can be
the term book beer (pronounced buck
drawn from the treasury in pursuance
there), they made a grand round of the bear
satisfied by a series or succession of acts
two-thirds of the members elected to

for by any such pre-existing law, No ages by the acts of the state mili-The sense of the constitution is too act for their allowance or payment has the are possible exceptions. The Bill of so, whether it has enacted any law in palpable for such interpretation. It is been passed since their origin prior to Rights, section 19, provides that "pripursuance of which the financial officers so obvious and self-evident as to be inof the State, acting under their official capable of doubt or greater clearness of 5th, 1869. Neither one of these acts late, but subserved to the public welpaths, to support the constitution, can exposition. It recognizes two classes of was concurred in by two-thirds of the fare. "When taken in time of war, or legally apply the public funds to their claims; One, the subject matter of members elected to either House.—

payment. In this respectations has the which shall have been provided for by Therefore, not having received the mediate seizure * a compensation of another load before he could be mediate seizure * a compensation of the country and the mediate seizure * a compensation of the country and the mediate seizure * a compensation of the country and the mediate seizure * a compensation of the country and the mediate seizure * a compensation of the country and the coun pre-existing law; the other the subject number of votes required by the con- sation shall be made to the owner there for

matter of which shall not have been so stitution, the act of April 30th, and the of in money." The pre-existing law of provided for. For the payment of the part of the act of May 5th, 1869, in April 11, 1868, authorized the gover-"No money shall be paid on any former class no allowance is necessary question never became and are not laws. nor, "in case of the invasion of the claim, the subject matter of which shall other than an act of appropriation connot have been provided for by pre-excisting law unless such claim be allowed by two-thirds of the members elected by be legally made until they be allowed in the statute book. Are the executive necessary to defend the state and repel o each branch of the general assem- by the concuring votes not of a majori- officers of the state acting under their invasion." From this grant of power ty merely, but of two-thirds of the official oaths to support the constitution may reasonably be implied the sancmembers elected to each house. About bound to execute these pretended acts, tion of the legislature to whatever acts legislation. "No money can be drawn from the treasury except in pursuance of a specific appropriation made by this doubt is impossible.

The only possible room for controdity? The commands of the constitution of the execution of their section of his extensive establishment. versy is as to what, in the sense of the tion are general and address themselves service. Their acts will be presumed versy is as to what, in the sense of the tion are general and address themselves service. Their acts will be presumed to presumed to every department and official of the to have been necessary to, and done in at the risk of getting on a bender, pushed and "no bill can become a law without law as applied to the 'subject matter,' state government, embracing therein furtherance of such service, unless the receiving on its passage the number of of a claim. Those who advocate the the whole administration of the public contrary be affirmatively shown. evidently assume that it means a law which directs that no money shall be may be sufficent to authorize the payment of this class of claims, although

even this admits of doubt. It has been auggested, however, that

satisfied with its reasoning and the con-I have the honor to be, very respect-W. H. WEST, Attorney General.

ciation. This Association-which has for its ob-

self.

But to provide for by pre-existing law of necessity implies a law enacted anterior to the existence of the system of the contrary affirmatively appeared in Mr. P. S. Sanderson, chief clerk of the Springfield, (O) office, is the Secretary, and that gentleman will, on application, formula to the executive officers to guard against the furnishall required information. The Association of the contrary affirmatively appeared in Mr. P. S. Sanderson, chief clerk of the Springfield, (O) office, is the Secretary, and that gentleman will, on application, furnishall required information.

ing appeal to young men on the imports

Let me speak a word, in our

claims of Obrist:

because of a kindly deference to the wi memories of those that are gone, whom they would pay this slight not on the ground of the softer courtesies toward mother and sisters, whose goodle viz some law enacted anterior to their ple would be without redress or remedy.

no origin. Is such the case?

The would be without redress or remedy.

It to you, this pittle demands and the second remedy.

The receive your hearty acquireces or and your nearty acquireces or remedy.

The receive your hearty acquireces or remedy. military expedition of John Morgan, in the State of Ohio. A. D. 1863," and also a copy of that part of the act of May 5, 1869, making appropriations for the year 1869, and the first quarter of the year 1869, and manly thing to turn one's coward back upon

on its passage the votes of two-thirds of State open and undetermined for future concurrence of such number shall legislative journals, that what purports wickedly. That man who can stake his for authorize and direct it, no money can to be a law upon the statute book was safety and the swiftness of a horse's look, was opinion of the attorney general is then asked as to whether:

Nor does the said act of April 30, asked as to whether:

First—If the acts of April 30th, and May 5th, 1869, (so far as they relate ize an appropriation to be made at some to the payment of the claims referred to the payment of the claims referred to the payment of the claims referred to the constitution under review are merely though not authoritative, is unquestion.

> have emblematic pictures of a buck over They first applied at a saloou on Race street and after imbibing book the interlocator the party inquired of the beerjerher behithe bar-

My worthy Teuton, what is book hope ? self (interlo) outer than the rest) had to m They tried another place where there was

a picture of a book careering in a bucks an attitude on his hind legs and holding s Book beer? Yaw, we got 'em,' put in the

their investigations to Vins street, visiting Hence, the acts under consideration stymological detiration. One Irish-American German bar-tender from the south of France was of the epicion that book beer even this admits of doubt.

But the other claims growing out of it got its name from the rampacious tenden-

> gets trunk on, sin't half so trunk on some shontlemens, ish puck peer, and that lah

General Graut's Income. With great but characteristic desinger rant readers—i. c., Democrats—that he eral Grant, had not made a full return The wording of this cowardly paragraph reveals the fact that its author know he was both suppressing and twisting the truth General Grant did not return any such in come. He returned one of several thousand dollars, from which the United States assess sor deducted all lawful exemptions—among which were \$1,000 allowance, taxes and house cont paid for the previous year, all losses in husiness, and all government salaries from which the tax is taken off when paid, leaving, in this instance a balance of but \$500 liable to tax. We make this exnation for the benefit of the not overas to necessitate an income return may possibly be ignorant as to the nature of that paper, and therefore lie unconsciously.

OUR DRUG DEPARTMENT

Hats & Caps!

Con the 30th of March, 1864, the legislature, by an act of that date, raisonable and amount thereof." distinctly reserving by express terms of the act, the published of the same open and undetermined and amount thereof." distinctly reserving by express terms of the act, the supposed, in the constitution of future action." This commission to Examine and undetermined in the published. Entire New Stock of SPNILEFUL PHYSICIAN.

SPRING GOODS INTERIFYED.

BUCKLAND'S OLD BLOCK

Our Property takes and destroyed by the stand before the published. The constitution of the stand with a constitution of the published. The constitution of the same open and undetermined to the published. The constitution of the state to pay the same open and undetermined to the published. The constitution of the same open and undetermined to the published. The constitution of the same open and undetermined to the published. The constitution of the same open and undetermined to the published. The constitution of the same open and undetermined to the published. The constitution of the same open and undetermined to the published. The constitution of the same open and undetermined to the published. The constitution of the same open and undetermined to the published. The constitution of the same open and undetermined to the published. The constitution of the same open and undetermined the same open and undetermined to the published. The constitution of the same open and undetermined to the published. The constitution of the same open and undetermined to the same open and undetermined to the published. The constitution of the same open and undetermined to the same open and undeterm